

Appl. No. 10/604,703
Amend. dated Jul. 9, 2007
Reply to Off. Act. of Feb. 8, 2007

REMARKS/ARGUMENTS

Introduction

1. The Examiner rejected claims 88, 95, 104 and 105 under 35 U.S.C. § 102(b) as being anticipated by Bromley et al. (U.S. Patent No. 5,487,956). Claims 88-90, 99-100, 104, and 105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olson (U.S. Patent No. 6,727,602). Claims 91, 92, and 94-97 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bromley et al. (hereinafter "Bromley") in view of Novakowski (U.S. Patent No. 4,516,066). Claim 93 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bromley and Novakowski in view of Geibl et al. (U.S. Patent No. 6,143,438). Claims 98 and 103 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olson in view of Krieger et al. (U.S. Patent No. 6,377,029). Claims 101 and 102 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olson in view of Cook et al. (U.S. Patent No. 6,734,651). Claims 106-108 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dierker (U.S. Patent No. 6,229,279) in view of McDermott et al. (U.S. Patent No. 6,545,445). Claims 88-108 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specification was objected to for describing element 750 in the specification, but failing to show it in the drawings, and for failing to provide antecedent basis for the terms "expiration of a period of time" and "operating position sensor." The drawings were objected to for failing to show "the switch position sensor, the operating position sensor, the second operating condition sensor," and "the motorized vehicle." Reconsideration of this application is respectfully requested in view of the amendments and remarks provided herein.

Objections to the Drawings

2. The drawings were objected to for failing to show "the switch position sensor, the operating position sensor, the second operating condition sensor," and "the motorized vehicle." In particular, the Examiner asserts that the aforementioned items are not shown in the drawings and, therefore, must be shown or cancelled from the claims. Applicants respectfully disagree with the Examiner's drawing correction requirements.

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With respect to the "switch position sensor" and the "operating condition sensors" as recited in claims 106 and 107, such claim elements are shown in exemplary form in FIG. 8 (as amended by amendment dated July 21, 2005) as reference numerals 750 (switch position sensor), 710-720 (main battery operating condition sensors) and 730-740 (standby battery operating condition sensors). With respect to the term "operating position sensor," Applicants do not use such term in any of the claims. As a result, such element need not be shown in the drawings. Therefore, Applicants respectfully request that the Examiner withdraw the requirement that the drawings be amended to show the switch position sensor, the operating condition sensors, and the operating position sensor.

With respect to the term "motorized vehicle," such term is only ever used in the preambles of claims 106 and 108. Moreover, Applicants' specification clearly supports the use of the battery system recited in claim 106 and the method recited in claim 108 in a motor vehicle (*see, e.g.*, ¶¶ [0019], [0076] of Applicants' published application). A drawing is only required where necessary for an understanding of the subject matter sought to be patented. *See* 37 C.F.R. § 1.81(a). Applicants have not sought to patent a motorized vehicle or any method or apparatus that includes a motorized vehicle. Rather, the motorized vehicle as used in Applicants' claims simply defines the environment for the claimed battery system (claim 106) and method (claim 108). One of ordinary skill in the relevant art would clearly understand how Applicants' claimed battery system and method would be used or incorporated into a motorized vehicle given the content of the drawings and specification of the present application, without Applicants having to specifically show a vehicle in the drawings. Therefore, Applicants respectfully request that the Examiner withdraw the requirement that the drawings be amended to show a motorized vehicle.

Objections to the Specification

3. The specification was objected to for describing element 750 in the specification, but failing to show it in the drawings, and for failing to provide antecedent basis for the terms "expiration of a period of time" and "operating position sensor." Applicants respectfully disagree.

Regarding element or reference numeral 750, such element is described as the switch position sensor in paragraph [0098] of Applicants' published application and is shown in FIG. 8

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of Applicants' drawings as amended by amendment dated July 21, 2005. Regarding the term "operating position sensor," such term is not used in Applicants' claims as discussed above. Instead, Applicants' claims 106 and 108 use the term "operating condition sensor," which term finds ample support in Applicants' specification (*see, e.g.,* ¶ [0098] of Applicants' published application) and drawings (*see* elements 710-740 of Applicants' FIG. 8, as amended by amendment dated July 21, 2005).

Regarding the term "expiration of a period of time," Applicants submit that such term is inherently disclosed in at least paragraph [0101] of Applicants' published application. In paragraph [0101] of the published application, Applicants describe an optional discharge cycle for the standby battery and state that, in such a case, the battery system may include "a timer 820 coupled to a switching device 300, the timer 820 periodically activating the switching device 300 which in turn switches the system to the auxiliary operational mode 360 *for a short period of time*" (Emphasis added.) In other words, the timer causes the switching device to switch to the standby battery from the start of the period of time until the expiration of the period of time. Such is the nature of a period of time. That is, a period of time must have a beginning and an end or expiration. One of ordinary skill in the art would clearly understand that the short period of time referenced in paragraph [0101] expires at some point in time without Applicants having to expressly state it. As a result, Applicants submit that at least paragraph [0101] of Applicants' published application provides inherent antecedent support for the term "expiration of a period of time" as recited in Applicants' claims 106 and 108.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the objections to Applicants' specification.

Rejections Under 35 U.S.C. § 112, Second Paragraph

4. Claims 88-108 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner asserts that the term "never connected in parallel" as used in Applicants' independent claims 88, 104-106, and 108 is an improper negative limitation and contradicts the description in paragraph [0034] of Applicants' published application. Further, the Examiner asserts that the limitation "even though the main

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battery is operating normally" in claim 101 contradicts the recitation in claim 88 that the batteries never supply electrical energy to the electrical system simultaneously. Lastly, the Examiner asserts that the limitation "a second operating condition sensor" in claim 107 lacks antecedence and inquires as to where is the first operating condition sensor. Applicants respectfully disagree with the Examiner's characterization of Applicants' claims.

Regarding the claim term "never connected in parallel," such term is not a negative limitation. Rather, the non-parallel connection of the two batteries is simply a by-product of the positively recited arrangement of the claimed battery systems and steps of the claimed methods recited in Applicants' independent claims. Additionally, the "never connected in parallel" limitation does not contradict the recitations of paragraph [0034] of Applicants' published application. Paragraph [0034] of the published application corresponds to paragraph [0032] of the original specification. Paragraph [0032] of the original specification was amended by Preliminary Amendment dated June 28, 2004 to delete the text "putting the batteries in parallel with each other", which text the Examiner relies upon to support the contradiction argument. Thus, Applicants' "never connected in parallel" claim limitation is consistent with Applicants' amended specification. In an interview between the Examiner and Applicants' undersigned representative on July 3, 2007 (a summary of which is provided below), the Examiner noted that, as shown in FIG. 3B, the main battery and the standby battery may be effectively connected in parallel through diode 400 in the hypothetical situation where the voltage of the main battery exceeds the voltage of the standby battery by more than the forward bias voltage of the battery. Applicants concede that such a parallel connection would result under the Examiner's hypothetical facts; however, Applicants submit that such a hypothetical set of facts is highly unlikely in practice because the charge of the standby battery is maintained by the charging current that charges the main battery when the switching device is in position S1 (as shown in FIG. 3B). Additionally, the standby battery receives charging current during idle periods when the switching device is in position S2 (as shown in FIG. 4B). Thus, the likelihood that the standby battery would ever be at a potential that is less than the potential of the main battery by at least the forward bias voltage of diode 400 is extremely small. Notwithstanding the foregoing, but not for any purpose related to patentability, Applicants have deleted the term "never connected in parallel" from all of Applicants' claims.

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Regarding the limitation "even though the main battery is operating normally" in claim 101, Applicants submit that such limitation does not contradict the recitation in claim 88 that the batteries never supply electrical energy to the electrical system simultaneously. Pursuant to the recitations of claim 88, the switching device can switch between at least a first position and a second position. In either position, the two batteries never supply electrical energy to the electrical system simultaneously. When the switching device is in the first position, only the main battery is supplying electrical energy on an as-needed basis to the electrical system regardless of whether the standby battery is operating normally (e.g., charged) or not (e.g., discharged). Similarly, when the switching device is in the second position, only the standby battery is supplying electrical energy on an as-needed basis to the electrical system regardless of whether the main battery is operating normally (e.g., charged) or not (e.g., discharged). Thus, the position of the switching device determines which battery supplies electrical energy to the electrical system. That said, if either battery is not operating normally, there would be no reason to switch to the abnormally operating battery, but both batteries may be operating normally even though only one of them is supplying electrical energy to the electrical system.

Claim 101 further limits claim 88 by adding a discharge cycling system to the battery system, wherein the discharge cycling system periodically discharges the standby battery even though the main battery is fine (i.e., operating normally). Such a discharge cycling feature is disclosed at least in paragraph [0101] of Applicants' published application. The notion of "operating normally" as used in claim 101 has absolutely nothing to do with whether or not the main and standby batteries never supply electrical energy to the electrical system simultaneously. Rather, such terminology is intended to reflect the operational state (i.e., charged vs. discharged) of the main battery. Notwithstanding the foregoing, but not for any purpose related to patentability, Applicants have herein amended claim 101 to clarify the subject matter thereof by replacing the term "operating normally" with the term "in a charged condition" to more clearly reflect the operating condition of the main battery in the claim. Additionally, Applicants have voluntarily amended claim 101 to clarify the function of the discharge cycling system to periodically discharge the standby battery.

Regarding claim 107, the element "second operating condition sensor" is properly used in the claim. In claim 107, Applicants properly introduce the "second operating condition sensor"

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with the article "a" in the second line of the claim. Since the term "second operating condition sensor" is first used in claim 107, use of the article "a" to introduce it is proper. The Examiner suggests that the term lacks antecedence and is unclear because the Examiner does not know where there has been introduced a "first" operating condition sensor. Applicants clearly introduce a first "operating condition sensor" in claim 106, except that in claim 106 the "operating condition sensor" is introduced with the article "a" as opposed to the term "first." Since there is only one operating condition sensor recited in claim 106, there is no need to use the identifier "first" to differentiate it from some other operating condition sensor.

The need for differentiation arises in claim 107 only. As a result, Applicants have used the term "second operating condition sensor" in claim 107 simply to differentiate the "second operating condition sensor" from the "operating condition sensor" recited in claim 106. The term "second," therefore, is merely a differentiator, just like the term "another," except that the term "second" permits clarity when subsequently referring to the "second operating condition sensor" throughout claim 107. If Applicants had used the term "another operating condition sensor" instead of the term "second operating condition sensor," subsequent referral to the "another operating condition sensor" would result in a claim that is, in Applicants' opinion, substantially more cumbersome to read and understand. As a result, Applicants selected use of the term "second operating condition sensor" instead of the term "another operating condition sensor." Applicants submit that those construing claim 107 in light of the recitations of claim 106 will clearly understand the scope and content of claim 107 without requiring use of the term "first operating condition sensor" in claim 106 or use of the term "another operating condition sensor" in claim 107.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejections of claims 88-108 under 35 U.S.C. § 112, second paragraph.

Legal Standard for Anticipation

5. In order to establish that a single prior art reference anticipates a pending claim, the Examiner must show that the reference discloses *each and every element* as set forth in the claim. See M.P.E.P. § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added). Moreover, the identical

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invention must be shown in the reference in as complete detail as is contained in the claim. *See id.* (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989)). Further, the claim elements *must be arranged* in the reference *as required by the claim*, although identity of terminology is not required. *See id.* (citing *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990)) (emphasis added). In other words, to make a proper anticipation rejection, the Examiner must show that the reference inherently or expressly discloses all the elements of Applicants' claim and that the elements disclosed in the reference are arranged in the same manner as are the elements recited in Applicants' claim. *See id.*

Rejections under 35 U.S.C. § 102(b)

6. Claims 88, 95, 104, and 105 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Bromley. Applicants respectfully disagree. In particular, Applicants submit that, among other things, Bromley fails to disclose or suggest a multi-battery system in which the main battery and the standby battery receive charging current when the switching device is in a first position, but that only the standby battery receives charging current when the switching device is in a second position, as now recited in Applicants' claims. In Bromley, the charging system (107) supplies charging current to both the vehicle battery (103) and the backup battery (105) at all times, regardless of the position of the device (125) that switches the backup battery 105 in and out of the circuit. Bromley's circuit arrangement does not provide for sole charging of the standby battery (105) when the switch (125) is positioned to allow the backup battery (105) to supply electrical energy to the security module's output port (115). Instead, Bromley's positioning of the switch (125) relative to the charging system (107) and the batteries (103, 105) results in charging current being supplied to both batteries (103, 105) regardless of the position of the switch (125). By contrast, Applicants' claimed circuit arrangement and operation, as recited in Applicants' amended independent claims and depicted in exemplary form in Figs. 3B and 4B of Applicants' originally filed drawings, provides that the charging current originating from the electrical system (point C in Figs. 3B & 4B) charges the main and standby batteries (100, 200) when the switching device (300) is in a first position (e.g., S1 as depicted in Fig. 3B), but only charges the standby battery (200) when the switching device (300) is in a second position (e.g., S2 as depicted in Fig. 4B). Thus, the circuit topology and operation claimed in the

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present application is substantially different than the circuit topology and operation disclosed in Bromley.

Additionally, as noted by the Examiner during the telephonic interview on July 3, 2007, Bromley's circuit topology permits the main vehicle battery (103) and the backup battery (105), under certain circumstances, to simultaneously supply electrical energy to an electrical load connected at the security module's output port (115). By contrast, all of Applicants' independent claims require that the main and standby batteries never supply electrical energy to an electrical load system simultaneously.

In view of the foregoing, Applicants submit that Bromley fails to disclose, expressly or inherently, each and every limitation of Applicants' claims 88, 95, 104, and 105 and further fails to disclose an arrangement of Applicants' claim elements in the manner required by Applicants' claims 88, 95, 104, and 105. As a result, Applicants submit that Bromley does not anticipate Applicants' claims 88, 95, 104, and 105, and respectfully request that claims 88, 95, 104, and 105 be passed to allowance.

Legal Standard for Obviousness

7. To establish a *prima facie* case of obviousness, three basic criteria must be met. M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest *all the claim limitations*. *Id.* (emphasis added). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *Id.* (citing *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Rejections under 35 U.S.C. § 103(a)

8. Claims 88-90, 99-100, 104, and 105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olson. In particular, the Examiner asserts that Olson discloses, *inter alia*, a switching device with two or more positions and having functionality equivalent to

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Applicants' claimed switching device. The Examiner also asserts that Olson discloses a one-way charging circuit, connected between the positive output of the main battery and the positive output of the standby battery, having functionality equivalent to Applicants' claimed one-way charging circuit. Applicants respectfully disagree.

Olson discloses a dual battery system that includes two controlled power switches (103, 106)--one for each battery (101, 104)--and a power controller (108). The power controller (108) controls the controlled power switches (103, 106) to selectively engage one or both of the batteries (101, 104) to supply power to the load (107). The open or closed position of each controlled power switch determines whether the associated battery is connected to the load (107), but has no effect on the other battery. In other words, changing the position of controlled power switch 103 effects whether battery 101 supplies electrical energy to the load, but has no effect on whether battery 104 supplies electrical energy to the load. Similarly, changing the position of controlled power switch 106 effects whether battery 104 supplies electrical energy to the load, but has no effect on whether battery 101 supplies electrical energy to the load. Therefore, Olson fails to disclose any component or components that provide a function equivalent to Applicants' claimed switching device, which in a first position electrically connects the main battery to the load and electrically disconnects the load from the standby battery, and in a second position electrically connects the standby battery to the load and electrically disconnects the load from the main battery.

Further, Olson fails to disclose any component or components that provide an equivalent function to Applicants' one-way charging circuit. For example, as recited in Applicants' claim 88, the one-way charging circuit is configured to facilitate charging of and prevent current flow from the standby battery at all times during which the main battery is supplying electrical energy to the electrical system. The Examiner asserts that Olson's controlled power switch 103 performs an equivalent function. (See Off. Act., p. 8.). Applicants disagree.

Olson's power controller 108 and controlled power switch 103 selectively prevent current flow from battery 101 during times when battery 104 is supplying electrical energy to the load (107). However, controlled power switch 103 does not simultaneously facilitate charging of battery 101 while preventing current flow from it. As detailed in Olson, battery 101 is recharged by external power supply 109 when controlled power switch 103 is closed. (See col. 5, line 56

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through col. 6, line 26.) However, closing controlled power switch 103 also results in battery 101 supplying electrical energy to the load (107). (See col. 4. lines 60-64.) Thus, controlled power switch 103 serves to facilitate charging of battery 101 while *allowing* battery 101 to supply electrical energy to the load (107). On the other hand, Applicants' one-way charging circuit serves to facilitate charging of the standby battery while *preventing* the standby battery from supplying electrical energy to the load. Therefore, Olson fails to disclose or suggest Applicants' one-way charging circuit.

In view of the foregoing, Olson fails to disclose or suggest all the claim limitations of Applicants' independent claims 88, 104, and 105. As a result, the Examiner has failed to establish a *prima facie* case of obviousness with respect to such claims. See M.P.E.P. § 2143. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 88, 104, and 105 in view of Olson and pass claims 88, 104, and 105 to allowance.

Claims 89-90 and 99-100 are dependent upon claim 88, which claim has been shown allowable above. Therefore, at least because claims 89-90 and 99-100 each introduce additional subject matter that, when considered in the context of the recitations of claim 88, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 89-90 and 99-100 are not disclosed or suggested by Olson. Therefore, Applicants respectfully submit that claims 89-90 and 99-100 are in proper condition for allowance.

9. Claims 91, 92, and 94-97 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bromley in view of Novakowski. Claims 91, 92, and 94-97 are dependent upon claim 88, which claim has been shown allowable above. Therefore, at least because claims 91, 92, and 94-97 each introduce additional subject matter that, when considered in the context of the recitations of claim 88, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 91, 92, and 94-97 are not disclosed or suggested by Bromley and/or Novakowski, whether taken alone or in combination. Therefore, Applicants respectfully submit that claims 91, 92, and 94-97 are in proper condition for allowance.

10. Claim 93 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bromley and Novakowski in view of Geibl et al. (hereinafter "Geibl"). Claim 93 is dependent

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upon claim 88 (through intervening claim 91), which claim has been shown allowable above. Therefore, at least because claim 93 introduces additional subject matter that, when considered in the context of the recitations of base and intervening claims 88 and 91, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claim 93 are not disclosed or suggested by Bromley, Novakowski, and/or Geibl, whether taken alone or in combination. Therefore, Applicants respectfully submit that claim 93 is in proper condition for allowance.

11. Claims 98 and 103 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olson in view of Krieger et al. (hereinafter "Krieger"). Claims 98 and 103 are dependent upon claim 88, which claim has been shown allowable above. Therefore, at least because claims 98 and 103 each introduce additional subject matter that, when considered in the context of the recitations of claim 88, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 98 and 103 are not disclosed or suggested by Olson and/or Krieger, whether taken alone or in combination. Therefore, Applicants respectfully submit that claims 98 and 103 are in proper condition for allowance.

12. Claims 101 and 102 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olson in view of Cook et al. (hereinafter "Cook"). Claims 99-102 are dependent upon claim 88, which claim has been shown allowable above. Therefore, at least because claims 99-102 each introduce additional subject matter that, when considered in the context of the recitations of claim 88, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 99-102 are not disclosed or suggested by Olson and/or Cook, whether taken alone or in combination.

In addition, Cook does not overcome the deficiencies in the prior art identified by Applicants. Rather, Cook discloses intentionally limiting the time that the reserve battery is in use *after* the reserve battery has been placed in parallel with the main battery in order to reduce the amount of discharge of the reserve battery. (See col. 6, lines 18-35 and 55-57; col. 7, lines 1-12; Third Weiss Decl. ¶ 27.) In other words, Cook discloses a timer arrangement that insures that the reserve battery is only used for the time necessary to jump start the main battery by limiting the amount of time that the reserve battery remains connected in parallel with the main

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battery after being engaged by the wireless remote control. (See col. 2, lines 8-12, 21-26, and 33-39; col. 6, lines 18-35 and 55-57; col. 7, lines 1-12; Third Weiss Decl. ¶ 27.) Cook does not disclose or suggest an automated discharge cycle for the reserve battery even though the main battery is operating normally (i.e., is in a charged condition). (See Third Weiss Decl. ¶ 27.)

Therefore, Applicants respectfully submit that claims 99-102 are not disclosed or suggested by the cited references and respectfully request that claims 99-102 be passed to allowance.

13. Claims 106-108 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dierker in view of McDermott et al. (hereinafter "McDermott"). Applicants respectfully disagree. As detailed in Applicants' prior responses dated July 21, 2005 and November 23, 2005, Dierker and McDermott both disclose multi-battery systems in which the main and standby batteries are placed in parallel at least temporarily to supply electrical energy to a load circuit. As a result, Dierker and McDermott, whether taken alone or in combination, fail to disclose or suggest an apparatus, system or method in which the main and standby batteries never supply electrical energy simultaneously to an electrical system, as expressly recited in Applicants' claims 106-108. Therefore, Applicants respectfully submit that claims 106-108 are not disclosed or suggested by the cited references and respectfully request that claims 106-108 be passed to allowance.

Summary of Telephonic Interview on July 3, 2007

14. Applicants would like to thank the Examiner for participating in a telephonic interview on July 3, 2007. During the interview, Applicants' undersigned representative and the Examiner discussed proposed claim amendments, which amendments are incorporated into the claims submitted herein, with respect to Bromley. The Examiner concurred that Bromley failed to disclose a system in which the main and standby batteries never supply electrical energy to the electrical system simultaneously, as expressly recited in Applicants' claims. Applicants' representative also noted that Bromley was directed to a low power security system and not to any heavier vehicular loads, although most of Applicants' claims are not restricted to operation of such heavier loads. The Examiner noted that, contrary to the recitations of Applicants' claims,

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the main and standby batteries may be in parallel if and when the voltage of the main battery exceeds the voltage of the standby battery by more than the forward bias voltage of the one-way charging diode. In response to the Examiner's comments, Applicants' have stricken the limitation that the batteries never be in parallel.

15. The Examiner is invited to contact the undersigned by telephone, facsimile or email if the Examiner believes that such a communication would advance the prosecution of the instant application. Please charge any necessary fees associated herewith, including extension of time fees (if applicable and not paid by separate check), to the undersigned's Deposit Account No. 50-1111.

Respectfully submitted,

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